

RESOLUTION NO. 2009-01

A RESOLUTION OF THE RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT AUTHORIZING THE DISTRICT TO ESTABLISH ONE OR MORE BANKING ACCOUNTS WITH WELLS FARGO BANK, N.A., AUTHORIZING DIRECTORS OF THE DISTRICT TO ACT ON BEHALF OF THE DISTRICT WITH RESPECT TO SUCH ACCOUNTS, AUTHORIZING THE DISTRICT TO EXECUTE AND DELIVER A CONTRACT WITH WELLS FARGO BANK, N.A., AND AUTHORIZING ALL OTHER ACTIONS NECESSARY FOR THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, the Rio Nuevo Multipurpose Facilities District (the “**District**”) was organized on July 19, 1999 as a special taxing district and political subdivision of the State of Arizona and is authorized pursuant the provisions of Title 48, Chapter 26 of the Arizona Revised Statutes (the “**Act**”) to adopt administrative rules as necessary to administer and operate the District, enter into contracts, and maintain a fund consisting of all monies received by the District; and

WHEREAS, in accordance with the Act and in order to facilitate the administration of the District, the District desires to establish one or more banking accounts with Wells Fargo Bank, N.A. (“**Wells Fargo**”), and further desires to authorize the Chair and the Treasurer of the District to act on behalf of the District with respect to such accounts; and

WHEREAS, in order for the District to establish banking accounts with Wells Fargo, it is required to submit certain information and enter into a contract with Wells Fargo with respect to the costs of maintaining the District’s accounts at Wells Fargo,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DISTRICT, AS FOLLOWS:

1. The District is hereby authorized to establish one or more banking accounts at Wells Fargo of the type typically established by political subdivisions similar to the District (the “**District Accounts**”).

2. The Chair and the Treasurer of the District are each hereby authorized to act on behalf of the District with respect to the District Accounts, including, without limitation, authorizing ACH or wire transfers, signing checks, making deposits, and directing Wells Fargo employees to take action with respect to the District Accounts.

3. The appropriate officials of the District, including without limitation the Chair, the Secretary, the Treasurer and any Executive Director, are hereby authorized and

directed to execute and deliver for and on behalf of the District any or all additional contracts, certificates and other documents and to perform all other acts they deem necessary or appropriate in order to implement and carry out the matters authorized in this resolution, including the execution and delivery of an appropriate agreement with Wells Fargo.

4. All resolutions of the District, or parts thereof, inconsistent herewith, are hereby repealed to the extent only of such inconsistency.

5. This resolution shall become effective immediately upon its adoption.

PASSED, ADOPTED AND APPROVED by the Board of Directors of the District on June 30, 2009.

RIO NUEVO MULTIPURPOSE FACILITIES  
DISTRICT

By: \_\_\_\_\_  
Anne-Marie Russell, Chair

ATTEST:

By: \_\_\_\_\_  
Jeffrey DiGregorio, Acting Secretary

APPROVED AS TO FORM:

BALLARD SPAHR ANDREWS & INGERSOLL, LLP

Special/Bond Counsel to the District

By: \_\_\_\_\_  
William A. Hicks III